

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1348 OF 2020

C. Leo Mascarenhas ... Petitioner

Versus

Society of St. Francis Xavier, Pilar & Ors. ... Respondents

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Ms. Karina Yadav i/b. Mr. C.R.Sadasivan for the Petitioner.

Mr. Mihir Desai, Senior Advocate a/w. Mr. T.R.Yadav for
Respondent Nos. 1 and 2.

Mr. Sagar G. Talekar for Respondent No.3.

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**CORAM: NITIN JAMDAR &
M.M. SATHAYE, JJ.**

DATE : 6 SEPTEMBER 2024

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NADAF
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P.C.:

. On 13 August 2024, the following order was passed.

“ By this petition, the Petitioner is seeking a direction against Respondent Nos. 1 and 2- Management to comply with the recommendations of the grievance committee constituted by Respondent No.3- University. Registrar of Respondent No.3- University will file reply affidavit as to what steps the University has taken or intends to take as regard non-compliance of the recommendations of the grievance committee by Respondent Nos. 1 and 2- Management.

2. Reply be filed by the Registrar, not to be delegated, as we are coming across a series of the matters where the orders/ recommendations of the grievance committee are not being implemented by the Management and the employees have to file a writ petition seeking

enforcement of the same. The University which has set up this mechanism must ensure that it is effective, and needless burden on this count is reduced. Reply to be filed by the Registrar by 6 September 2024.

3. *Stand over to 6 September 2024.”*

2. Pursuant to the said order, the Registrar of University has filed an affidavit. Learned counsel for the Petitioner and learned counsel for the Respondent- Management state that they have not received the copy. The copy be served.

3. We have perused the reply. It is entirely unsatisfactory. All that we have are the communication addressed by the Respondent- Management on 3 November 2015 and letter issued by the University Registrar to the Respondent Management on 3 September 2024. Nothing is stated to have been done by the University to ensure compliance or to show that cognizance is taken that the order of the Grievance Committee not being implemented. We regret to note that by this inaction, the University is virtually making the Grievance Committee established under the Statute ineffective.

4. At the request of the Learned counsel for the Petitioner and Respondent- Management, stand over to **25 September 2024**.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)